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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 MAXIMILIAN KLEIN, et al.,

14 Plaintiffs,

15 vs.

16 META PLATFORMS, INC.,

17 Defendant.
18

19 This Document Relates To: All Actions
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Consolidated Case No. 3:20-cv-08570-JD

**DECLARATION OF KEVIN Y. TERUYA
IN SUPPORT OF CONSUMER
PLAINTIFFS' OPPOSITION TO
FACEBOOK'S MOTION TO EXCLUDE
TESTIMONY OF NICHOLAS
ECONOMIDES**

The Hon. James Donato

Hearing Date: Dec. 14, 2023 at 10:00 a.m.

I, Kevin Y. Teruya, declare:

1. I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP (“Quinn Emanuel”). I serve as Interim Co-Lead Consumer Class Counsel for the Consumer Class in this action. I have been actively involved in this action, am familiar with the proceedings, and have personal knowledge of the matters stated herein.

2. I respectfully submit this declaration in support of Consumer Plaintiffs’ Opposition to Facebook’s Motion to Exclude Testimony of Nicholas Economides. Attached to this declaration are true and correct copies of **Exs. 1–17**, which are documents and deposition transcripts that Consumer Plaintiffs cite in their Opposition. For the Court’s convenience, the relevant portions of the documents and deposition transcripts have been highlighted and, where applicable, excerpted.¹

<u>Ex. No.</u>	<u>Description of Exhibit</u>	<u>Provisionally Filed Under Seal</u>
1	Excerpts from CONSUMER-FB-000000291	No
2	Excerpts from Morton, Scott, F., P. Bouvier, A. Ezrachi, B. Jullien, R. Katz, G. Kimmelman, A. D. Melamed, and J. Morgenstern, “Committee for the Study of Digital Platforms Market Structure and Antitrust Subcommittee Report,” George J. Stigler Center for the Study of the Economy and the State, The University of Chicago Booth School of Business	No
3	Article entitled “Facebook will pay you to watch ads during game play,” Athima Chansanchai, NBC News (May 6, 2011)	No
4	Excerpts from “The Economics of Privacy: An Agenda,” Catherine Tucker (June 10, 2023)	No
5	“Giving Away Our Data for Free is a Market Failure,” Nicholas Economides & Ioannis Lianos (Feb. 1, 2021)	No
6	Excerpts from “Measuring Benchmark Damages in Antitrust Litigation,” Justin McCrary and Daniel L. Rubinfeld, Journal of Econometric Methods, Vol. 3, No. 1, 2014	No
7	Excerpts from “A Primer on Antitrust Damages,” Herbert J. Hovenkamp, Faculty Scholarship at University of Pennsylvania Carey Law School, 2011	No

¹ Should the Court find it helpful, Consumers can submit any cited materials in full.

<u>Ex. No.</u>	<u>Description of Exhibit</u>	<u>Provisionally Filed Under Seal</u>
8	PALM-003556066	Yes
9	PALM-013785714	Yes
10	PALM-013788535	Yes
11	PALM-013553009	Yes
12	Excerpts from PALM-013818575	Yes
13	Excerpts from the Deposition Transcript of Dr. Catherine Tucker, taken in <i>Klein v. Meta Platforms</i> on Sept. 26, 2023	Yes
14	Deposition Transcript of Dr. Nicholas Economides, taken in <i>Klein v. Meta Platforms</i> on Sept. 14, 2023	Yes
15	Excerpts from the Deposition Transcript of Mark Zuckerberg, taken in <i>Klein v. Meta Platforms</i> on May 16, 2023	Yes
16	Excerpts from the Deposition Transcript of David Baser, taken in <i>Klein v. Meta Platforms</i> on June 14, 2023	Yes
17	PALM-FTC-00024133	Yes

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 13th day of October 2023 in Los Angeles, California.

By /s/ Kevin Y. Teruya

Kevin Y. Teruya